
Transportation Committee

HB 1241

Brief Description: Modifying vehicle licensing and registration penalties.

Sponsors: Representatives Fromhold, Curtis, Moeller, Wallace, Sommers, McIntire and Murray.

Brief Summary of Bill

- Changes the penalty from a misdemeanor to a traffic infraction for failure to register a vehicle and increase the amount from up to \$330 to \$529.
- Adds a penalty of \$529 for licensing a vehicle in another state to avoid paying taxes and licenses.
- A person registering a vehicle must present an unexpired Washington driver's license to register a vehicle unless exempt.

Hearing Date: 2/14/05

Staff: Jerry Long (786-7306).

Background:

New Washington residents unless exempt must obtain a valid a valid Washington driver's license and register their vehicles within thirty days from the date they become residents. Exemptions include a person in the military, a nonresident driver, a person operating special highway construction equipment, farm tractor or locomotive.

Failure to register a vehicle in Washington before operating on the highways is a misdemeanor and if convicted must be punished by a penalty of up to \$330. The licensing of vehicle in another state by a resident of this state for the purposes of evading the payment of any tax or license in relation to registering a vehicle is a gross misdemeanor punishable as follows:

First offense - Up to one year in a county jail and a fine equal to twice the amount of delinquent taxes and fees, with no part suspended or deferred; Second or subsequent offense - Up to one year in a county jail and a fine equal to four times the amount of delinquent taxes and fees, with no part suspended or deferred.

Sales tax does not apply to sales to nonresidents of tangible personal property when they are a resident of a state, Province of Canada or US Possessions that does not impose a sales tax or use tax of three percent or more. Any person claiming an exemption must provide one piece of

identification such as a valid drivers license or identification card from the jurisdiction in which the out of state residence is claimed.

Summary of Bill:

Failure to register a vehicle in Washington before operating on the highways is changed from a misdemeanor to a traffic infraction of \$529.

A penalty of \$529 is added to the punishments for licensing a vehicle in another state by a Washington resident for the purposes of evading the payment of any tax or license in relation to the registering of a vehicle. The term "confinement" is added for the county jail time.

A motor vehicle subject to initial or renewal registration shall not be registered to a natural person unless the person has an unexpired Washington state driver's license. They are exempt from this requirement if they certify that they do not operate a motor vehicle on the public roads or they are already exempt under current law. For shared or joint ownership, Department of Licensing will setup procedures to verify that all owners meet these requirements. Department of Licensing may adopt rules necessary to implement these rules, where a person maybe exempt if they show evidence satisfactory to the Department of Licensing that they have a valid and compelling reason for not being able to meet these requirements.

A person falsifying residency is guilty of a gross misdemeanor punishable by confinement for up to one year in the county jail and payment of a fine of \$529.

This applies to registrations due or become due on or after January 1, 2006.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on August 1, 2005.